United States District Court
Southern District of Iowa

Presiding: Honorable Stephen B. Jackson, Jr.
Criminal No. 3:16-cr-00026 SMR Clerk's Court Minutes - Plea

United States of America : Gov. Atty(s) Clifford R. Cronk, III
vs. : Def. Atty(s) Leon F. Spies
: Court Reporter: Linda Egbers
Benjamin John Higgerson : Interpreter: N/A

Date: October 24, 2016 : ☑ Indictment ☐ Superseding Indictment
Time Start: 1:32 pm : Information
Time End: 2:04 pm : In One Count(s) - Code Violation:

18:2252(a)(4)(B) and 2252(b)(2) - Possession of Child Pornography (1)

Waiver of Indictment filed: ☐
Information filed: ☐
Arraignment conducted: ☐
Statement by deft. in advance of plea of guilty filed: ☐
Defendant sworn: ☑
Defendant advised of potential perjury charges: ☑
Plea Agreement filed: ☐
Defendant understands: ☐
Defendant agrees: ☐
Defendant advised of nature of charges: ☑
Defendant advised of elements: ☑
Defendant satisfied with attorney: ☑
Defendant advised of penalties: ☑
Maximum fine/incarceration: ☑
Mandatory minimum fine/incarceration: ☐
Forfeiture/restitution: ☑
Supervised Release: ☑
Mandatory special assessment: ☑
No promises made regarding sentence: ☑
Defendant advised of sentencing guidelines: ☑
Defendant waives rights to jury trial: ☑
Defendant advised of right to persist in not guilty plea: ☑

Defendant plea of guilty to count(s): One & agrees to forf.
Court findings:
Factual basis: ☑
Voluntariness: ☑
Competency to plea: ☑
Court accepts plea: ☑
Court rejects plea: ☐
Offense Conduct Statement due: order to follow
Presentence report to be disclosed to counsel by: order to follow
Deadline to submit objections to presentence report to Probation Office: 14 days thereafter
Applicability of advisory guideline to the Court by: 7 days before sentencing
Sentencing date: February 14, 2017, at 10:00 am
Detention hearing conducted: ☐
Bond previously set:
Bond continued: ☐
Bond changed to:

Minutes:

Defendant is present with counsel for change of plea proceeding. Magistrate consent signed. No Written Plea Agreement filed. Defendant is advised of sentencing guidelines. Defendant pleads guilty to Count One, and agrees to the forfeiture allegation contained in the indictment. Court accepts plea. Court signs Report and Recommendation. Counsel is informed they have 14 days from the date of this hearing to file objections to the Report and Recommendation. Court orders PSIR. Sentencing is scheduled for February 14, 2017, at 10:00 am before Judge Stephanie M. Rose.

Previously filed order of detention remains in effect.

/s/ Brian Phillips
Deputy Clerk